

10-05-05  
RCE/1652/10  
JFW  
EXPRESS MAIL LABEL NO. EL 989612425 US

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: Harrington et al. Art Unit: 1652  
Application Serial No.: 09/586,744 Examiner: Saidha, Tekchand  
Filed: June 2, 2000 Confirmation No.: 7865  
For: MAMMALIAN FLAP-SPECIFIC Docket No: 375461-043USR1  
ENDONUCLEASE

Mail Stop Box RCE  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

REQUEST FOR CONTINUED EXAMINATION UNDER 37 CFR §1.114

Sir:

This is a Request for Continued Examination under 37 CFR. §1.114 of the above referenced application. Prosecution of the application is closed under 37 CFR §1.114(b) for the following reason:

- ☒ Application is under appeal;  
☐ Last office action is a final action under 37 CFR §1.113; or  
☐ Action that otherwise closes prosecution in the application.

In accordance with 37 CFR §1.114(c-d), please consider the following submissions with the request:

- ☐ Previously submitted papers:  
☐ Arguments in the Appeal Brief or Reply Brief previously filed on \_\_\_\_\_.  
☐ Arguments/Amendments in the Reply previously filed on \_\_\_\_\_.  
☒ Enclosed herewith for consideration by the examiner:  
☒ Arguments/Amendments  
☐ Affidavits/Declarations

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- ☐ Information Disclosure Statement
  - ☐ Substitute Form 1449 (PTO/SB/8A-B)
  - ☐ Copies of References
- ☐ Other

The Request for Continued Examination fee pursuant to 37 CFR. §1.17(e):

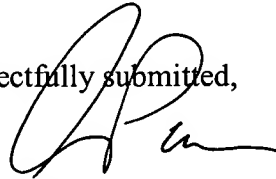
- ☐ Small entity \$ 395.00
- ☒ Other than small entity \$ 790.00

The method of payment for the request fee is indicated below.

- ☐ A check in the amount of the fee is enclosed.
- ☒ The Commissioner is hereby authorized to charge the RCE fee to DECHERT LLP Deposit Account No. 50-2778 (Order No. 375462-043USR1 (358012)).
- ☒ The Commissioner is hereby authorized to charge any deficiency, or credit any overpayment to DECHERT LLP Deposit Account No. 50-2778 (Order No. 375462-043USR1 (358012)).

This request is being made prior to the earliest of: (1) payment of the issue fee, unless a petition under 37 CFR §1.313 is granted, (2) the abandonment of the application, or (3) the filing of a notice of appeal to the U.S. Court of Appeals for the Federal Circuit under 33 USC §141, or the commencement of a civil action under 35 USC §§145 or 146, except where the appeal or civil action has been terminated.

Respectfully submitted,



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Ann M. Caviani Pease, Reg. No. 42,067

Dated: October 3, 2005

**Customer No.: 37509**  
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